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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/618,281	07/18/2000	Kazuhiro Yanase	Q60167	9866
7590	12/31/2003		EXAMINER	
Sughrue Mion Zinn MacPeak & Seas 2100 Pennsylvania Avenue NW Washington, DC 20037			NALVEN, ANDREW L	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 12/31/2003

*2*

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/618,281	YANASE, KAZUHIRO
	Examiner Andrew Nalven	Art Unit 2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 July 2000.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

**DETAILED ACTION**

1. Claims 1-6 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abram et al US Patent No. 6,462,778 in view of Murphy et al US Patent No. 5,799,082. Abram teaches method and apparatus for associating descriptive data with digital images.

4. With regards to claims 1 and 4, Abram discloses portable electronic equipment with image-data generating means for photography (Abram, column 3 lines 39-40) with position information detecting and transmitting means for detecting current position (Abram, column 3 lines 55-57) and transmitting to the outside (Abram, Figure 3). Abrams further discloses storage means for storing reception data (Abram, Figure 1 and Abram, column 3 lines 14-18), a center system capable of receiving the position information transmitted from electronic equipment (Abram, column 3 lines 55-59) and generating place-specifying data indicated by the position information (Abram, column 3 lines 59-65). Abrams further discloses the transmitting of place-specifying data to the

electronic equipment that has transmitted the position information and storing the place-specifying data into the storage means (Abram, Figure 9). Abrams fails to teach the encrypting of the position information, the authenticating of the position information, and the copy guard processing of the place specifying data. Murphy teaches secure authentication of images with location data. Murphy teaches that position information from the position information detecting and transmitting means is encrypted (Murphy, column 13, lines 30-36) and the position information is authenticated (Murphy, column 15 lines 31-47). Murphy further teaches a copy guard-processing scheme (Murphy, column 14 line 52 – column 15 line 19). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Murphy's encryption, authentication, and copy guard techniques because they offer the advantage of preserving a digital image and location information in unaltered form (Murphy, column 7 lines 57-66 column 8 line 64 – column 9 line 4) and allowing only authenticated individuals to view the digital image (Murphy, column 8 lines 21-30).

5. With regards to claim 2, Abram as modified above discloses a center system comprising an authentication unit for receiving position information (Murphy column 15 lines 19-46 and Abram column 3 lines 55-59) which is encrypted and transmitted by electronic equipment (Murphy, column 13 lines 30-37) and authenticated whether position information can be decoded or not (Murphy column 15 lines 36-46). Abram and Murphy further disclose a place-specifying database for accepting position information decoded by authentication unit and outputting place-specifying data representing the place indicated by the position information (Murphy column 15 lines 31-37, Abram

column 3 lines 59-65) and a copy guard device for subjecting the place-specifying data to the copy guard processing (Murphy, column 14 line 52 – column 15 line 19) and transmitting place-specifying data to electronic equipment (Abram Figure 9).

6. With regards to claims 3 and 5, Abram as modified above discloses position information detecting and transmitting means detecting position information and time information (Abram, column 3 lines 46-48) and a center system subjecting the position and time information with place-specifying data to copy-guard protection (Murphy, column 14 line 52 – column 15 line 19) and storing the copy-guarded signal in storage means of electronic equipment (Murphy, column 15 lines 6-7).

7. With regards to claim 6, Abram as modified above discloses a GPS receiver determining position information from a signal from a GPS satellite group (Abram, column 3 lines 45-47) in the form of longitude/latitude coordinates (Abram, column 6 lines 20-29).

### ***Conclusion***

8. Any inquiry regarding this communication from the examiner should be directed to Andrew Nalven at (703) 305-8407 during the hours of 7:15 AM – 4:45 PM Monday through Thursday. The examiner can also be reached on alternate Fridays.

In the event that attempts to reach the examiner are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (703) 308 – 4789.

**Any response to this action should be mailed to:**  
Commissioner for Patents

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P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(703) 872-9306 (for formal communications intended for entry)

**Or:**

(703) 872-9306 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is (703) 305-  
3900.

Andrew Nalven

ALN

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100